



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ISRAEL RUBINSTEIN, et al.

Application No.: 09/922,220

Group No.: 1743

Filed: August 3, 2001

Examiner: --

For: METHOD AND APPARATUS FOR DETECTING AND QUANTIFYING A
CHEMICAL SUBSTANCE EMPLOYING A SPECTRAL PROPERTY OF METALLIC
ISLANDS

Attorney Docket No.: U 013579-0

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that the attached correspondence comprising:

INFORMATION DISCLOSURE STATEMENT; INTERNATIONAL SEARCH
REPORT; FORM PTO-1449; REFERENCES

is being deposited with the United States Postal Service as first class mail in an envelope
addressed to:

Commissioner for Patents
P. O. Box 1450
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on February 20, 2004

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CLIFFORD J. MASS

(type or print name of person mailing paper)

(Signature)
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Israel RUBINSTEIN, et al.

Serial No.: 09/922,220

Filed: August 3, 2001

For: METHOD AND APPARATUS FOR
DETECTING AND QUANTIFYING A
CHEMICAL SUBSTANCE EMPLOYING
A SPECTRAL PROPERTY OF
METALLIC ISLANDS



) Art Unit: 1743

) Examiner: (N/A)

) Washington, D.C.

) February 3, 2004

) Docket No.: U 013579-00

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INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

☒ 1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:

(Check one of the boxes A-D)

☐ A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

☒ B. before the mailing date of a first office action on the merits.

☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(check one of the boxes "i" and "ii" below:)

☐ i. Counsel certifies that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☐ ii. A check for the fee set forth in 1.17(p), presently believed to be \$240, is enclosed (check no. _____).

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. A check for the fee set forth in §1.17(i), presently believed to be \$130 is enclosed (check no. _____). Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☒ 2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

☐ A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

[insert serial numbers and filing dates of prior applications]

Applicant identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

☐ 3. Document(s) _____ is(are) not in the English language. In accordance with 1.98(c), Applicant states:

☐ An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

☐ A concise explanation of the relevance of document(s) _____ is found in the attached search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:
[Insert concise explanation of relevance]

☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

☐ A concise explanation of document(s) _____ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[X] 5. Other information being provided for the examiner's consideration follows:

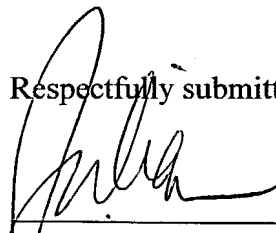
An International Search Report dated December 23, 2003, which issued during the prosecution of Applicant's PCT Patent Application No.: PCT/IL03/00457.

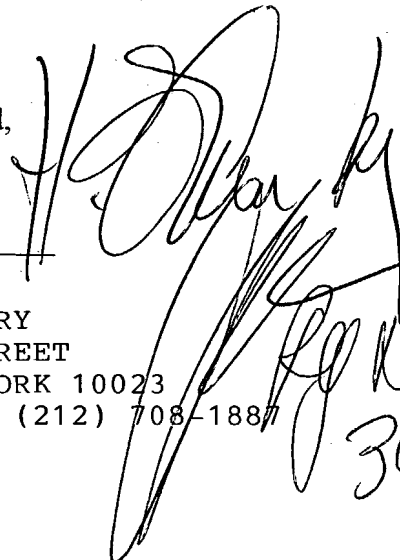
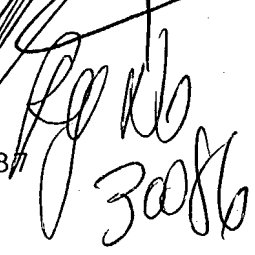
6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

Respectfully submitted,


JULIAN H. COHEN
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26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG. NO.: 20302 (212) 708-1887

FEB 24 2004

Date: February 3, 2004

Page 1 of 1

FORM PTO-1449 (Colb)	ATTY DOCKET NO. U 013579-8	SERIAL NUMBER 09/922,220
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT	APPLICANT Israel RUBINSTEIN, et al.	EXAMINER (N/A)
	FILING DATE August 3, 2001	GROUP ART UNIT 1743

U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	4,720,633	01-1988	Nelson			
	AB	4,880,976	11-1989	Mancuso, et al.			
	AC	5,412,211	05-1995	Knowles			
	AD	5,789,748	08-1998	Liu, et al.			
	AE	6,459,482	10-2002	Singh, et al.			
	AF						

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FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
	AG						
	AH						

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

AI	
AJ	
AK	
AL	
EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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INTERNATIONAL SEARCH REPORT

International application No.

PCT/IL03/00457

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : G01N 23/00, H01J37/256

US CL : 250/310, 250/397

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 250/310, 250/397, 250/251

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 4,720,633 A (NELSON) 19 January 1988 (19.01.1988), column 2, line 19 - column 5, line 19, and Fig. 1.	1-203
A	US 4,880,976 A (MANCUSO et al.) 14 November 1989 (14.11.1989), column 1, line 46 - column 4, line 14, and Fig 1.	1-203
A	US 5,412,211 A (KNOWLES) 02 May 1995 (02.05.1995), column 3, line 37 - column 12, line 2.	1-203
A	US 5,789,748 A (LIU et al.) 04 August 1998 (04.08.1998), column 2, line 29 - column 8, line 64.	1-203
A, P	US 6,459,482 B1 (SINGH et al.) 01 October 2002 (01.10.2002), column 2, line 49 - column 7, line 65.	1-203



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:		"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A"	document defining the general state of the art which is not considered to be of particular relevance	"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E"	earlier application or patent published on or after the international filing date	"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L"	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&"	document member of the same patent family
"O"	document referring to an oral disclosure, use, exhibition or other means		
"P"	document published prior to the international filing date but later than the priority date claimed		

Date of the actual completion of the international search	Date of mailing of the international search report
16 September 2003 (16.09.2003)	23 DEC 2003
Name and mailing address of the ISA/US	Authorized officer
Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703)305-3230	John Lee <i>Dian D. Miller</i> Telephone No. (703) 308-0956